

STATE OF DELAWARE
PUBLIC EMPLOYMENT RELATIONS BOARD

BROTHERHOOD OF RAILROAD SIGNALMEN,	:	
	:	
Petitioner,	:	Review of Hearing Officer's Decision
	:	
v.	:	<u>Rep. No. 95-04-125</u>
	:	
DELAWARE ADMINISTRATION FOR	:	
SPECIALIZED TRANSPORTATION,	:	
	:	
Respondent.	:	

After a full review of the record, we have unanimously concluded that the Executive Director's August 9, 1995, finding that agencies of the State are included in the term "State" - the sole subject of this appeal - was, in fact, correct and must accordingly be affirmed.

We agree, especially, with the Executive Director in his assertions that the legislative history shows that the Public Employment Relations Act was intended to expand the rights of public sector employees, that to accept DAST's argument that State agencies are removed from the scope of the PERA would remove from PERA jurisdiction the great majority of State employees, and that such removal would deprive the latter of both the expanded rights that the PERA has afforded other public sector employees and the more limited rights assured them by the PERA's predecessor since neither the latter nor the Governor's Council on Labor any longer exists.

We also find highly persuasive that portion of 19 Del.C. Chapter 58 that defines the term "State" as "The State of Delaware and includes any State agency."

The August 9, 1995 decision of the Executive Director that State agencies are encompassed by the term "State" is therefore affirmed.

IT IS SO ORDERED.

/s/Arthur A. Sloane
ARTHUR A. SLOANE, Chair

/s/Henry E. Kressman
HENRY E. KRESSMAN, Member

/s/John D. Daniello
JOHN D. DANIELLO, Member

Date: September 11, 1995